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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/916,644	07/26/2001	Sang Baek Lee	020772-000110US	8497
20350	7590	10/25/2004	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			VU, THONG H	
			ART UNIT	PAPER NUMBER
			2142	

DATE MAILED: 10/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/916,644

Applicant(s)

LEE, SANG BAEK

Examiner

Thong H Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. Claims 1-13 are pending.
2. The formal drawing of Fig 1 is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-13 are rejected under 35 U.S.C. § 102(e) as being anticipated by Jones et al [Jones 6,697,944 B1].

4. As per claim 1, Jones discloses a method for transmitting multimedia contents, comprising:

at a client system selecting a desired content to be received from a content provider, submitting the selected content to a server system [Jones, the user identified a selection, col 8 lines 40-67; the digital content server, col 11 lines 17-44];

receiving the selected content at the client system [Jones, a user selects and download content file, col 11 lines 45-60]; and

thereafter, uploading the received content to a portable multimedia device that is coupled to the client system [Jones, PC64 and portable device 66, Fig 2].

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5. As per claim 2, Jones discloses attaching an information to the selected content to promote a business entity [Jones, e-commerce, col 3 lines 5-20].

6. As per claim 3, Jones discloses the selected content is in a first format, converting the content in the first format to a second format [Jones, some form of encryption and decryption, col 8 lines 40-67].

7. As per claim 4, Jones discloses the portable device recognizes the second format but not the first format [Jones, some form of encryption and decryption, col 8 lines 40-67].

8. As per claim 5, Jones discloses identifying the portable device coupled to the client system to provide the client system with information as to which format is compatible with the portable device [Jones, the portable device is compatible with PC, col 9 line 53-col 10 line 8].

9. As per claim 6, Jones discloses the client system determines which formats are compatible with the portable device without requiring a user to identify the portable device [Jones, the portable device is compatible with PC, col 9 line 53-col 10 line 8].

10. As per claim 7, Jones discloses a method for transmitting multimedia contents, comprising:

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providing a client software accessible via a communication network to be downloaded to a remote computer [Jones, the user identified a selection, col 8 lines 40-67; the digital content server, col 11 lines 17-44];

downloading the client software to a client system [Jones, a user selects and download content file, col 11 lines 45-60];

inputting a request for a multimedia content using the client software in the client system; submitting the request to a server system via the communication network [Jones, a user selects and download content file, col 11 lines 45-60];

receiving at the client system a content corresponding to the submitted request; and thereafter, uploading the received content to a portable multimedia device that is coupled to the client system [Jones, PC64 and portable device 66, Fig 2].

11. As per claim 8, Jones discloses attaching an advertisement to the content corresponding to the submitted request [Jones, e-commerce, col 3 lines 5-20].

12. As per claim 9, Jones discloses the content corresponding to the submitted request is streaming data [Jones, MP3 col 8 lines 17-40].

13. As per claim 10, Jones discloses playing the streaming data on the client system; and capturing the streaming data as a storable file [Jones, MP3 col 8 lines 17-40].

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14. As per claim 11, Jones discloses a method for transmitting multimedia contents, comprising:

inputting a request for a multimedia content using the client software in the client system, the request including one or more descriptive words relating to the multimedia content, wherein the one or more descriptive words are not communication submitting the request to a server system via a communication network [Jones, the user identified a selection, col 8 lines 40-67; the digital content server, col 11 lines 17-44];

receiving at the client system a content corresponding to the submitted request [Jones, a user selects and download content file, col 11 lines 45-60]; and thereafter, uploading the received content to a portable multimedia device that is coupled to the client system [Jones, PC64 and portable device 66, Fig 2; col 10 lines 9-40].

15. As per claim 12, Jones discloses the content is audio or video data [Jones, MP3 col 8 lines 17-40].

16. As per claim 13, Jones discloses searching for a content provider that has the content corresponding to the submitted request [Jones, website on the Internet, col 8 lines 40-67]; and retrieving the content corresponding to the submitted request to the server system in order to download the content to the client system [Jones, a user selects and download content file, col 11 lines 45-60].

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17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (703)-305-4643. The examiner can normally be reached on Monday-Thursday from 8:00AM- 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Jack Harvey*, can be reached at (703) 305-9705.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9700.

Any response to this action should be mailed to: Commissioner of Patent and Trademarks, Washington, D.C. 20231 or faxed to :

After Final (703) 746-7238

Official: (703) 746-7239

Non-Official (703) 746-7240

Hand-delivered responses should be brought to Crystal Park 11,2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Thong Vu
Patent Examiner
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